

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

UPMC and its subsidiary UPMC)	
PRESBYTERIAN SHADYSIDE,)	
Single Employer, d/b/a UPMC)	Docket No. 18-1334
PRESBYTERIAN HOSPITAL and)	
d/b/a UPMC SHADYSIDE)	Consolidated with Docket
HOSPITAL,)	Nos. 18-1237, 18-1332,
)	18-1333
Petitioners,)	
)	
v.)	
)	
NATIONAL LABOR RELATIONS)	
BOARD,)	
)	
Respondent.)	

**PROVISIONAL CERTIFICATE AS TO
PARTIES, RULINGS, AND RELATED CASES**

In accordance with Circuit Rules 15 and 28(a)(1) and pursuant to Court Order dated December 19, 2018, Petitioner UPMC Presbyterian Shadyside (“Petitioner”) hereby provides this provisional certificate.

Parties and Amici. In the agency proceedings below, in the matter styled *UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital and SEIU Healthcare Pennsylvania, CTW, CLC*, Case Nos. 06-CA-102465, 06-CA-102494, 06-CA-102516, 06-CA-102518, 06-CA-102525, 06-CA-102534, 06-CA-102540, 06-CA-102542, 06-CA-102544, 06-CA-102555, 06-CA-102559, 06-CA-104090,

06-CA-104104, 06-CA-106636, 06-CA-107127, 06-CA-107431, 06-CA-107532, 06-CA-107896, 06-CA-108547, 06-CA-111578, and 06-CA-115826 appeared General Counsel of the National Labor Relations Board, the Charging Party, SEIU Healthcare Pennsylvania, CTW, CLC and Respondents UPMC and UPMC Presbyterian Shadyside. There were no intervenors or amici.

In the proceedings before this Court, the parties include UPMC Presbyterian Shadyside, the National Labor Relations Board, and by virtue of consolidation and a motion for intervention, SEIU Healthcare Pennsylvania, CTW, CLC.

Rulings Under Review. The rulings under review, copies of which were attached to the Petition for Review, are the Decision and Order of the National Labor Relations Board (“Board”) in the matter styled *UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital and SEIU Healthcare Pennsylvania, CTW, CLC*, Case Nos. 06-CA-102465, 06-CA-102494, 06-CA-102516, 06-CA-102518, 06-CA-102525, 06-CA-102534, 06-CA-102540, 06-CA-102542, 06-CA-102544, 06-CA-102555, 06-CA-102559, 06-CA-104090, 06-CA-104104, 06-CA-106636, 06-CA-107127, 06-CA-107431, 06-CA-107532, 06-CA-107896, 06-CA-108547, 06-CA-111578, and 06-CA-115826, reported at 366 NLRB No. 185, dated August 27,

2018, as well as the Board Order Denying Motion for Full-Board Reconsideration entered in the same matter on December 11, 2018.

Related Cases. This case has not previously been before this court or any other court. The cases styled *Service Employees International Union Healthcare Pennsylvania, CTW, CLC v. National Labor Relations Board*, Case No. 18-1237, *National Labor Relations Board v. UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital*, Case No. 18-1332, and *National Labor Relations Board v. UPMC and its Subsidiary, UPMC Presbyterian Shadyside, Single Employer, d/b/a UPMC Presbyterian Hospital and d/b/a UPMC Shadyside Hospital*, Case No. 18-1333, all of which are pending before this Court, are related to the current matter, and have been consolidated as cross-appeals pursuant to a December 28, 2018 Court Order issued in Case No. 18-1237.

Dated: January 18, 2019

Respectfully submitted,

/s/Jennifer G. Betts

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

Jennifer G. Betts, Esquire
Thomas A. Smock, Esquire
Michael D. Glass, Esquire
One PPG Place, Suite 1900
Pittsburgh, PA 15222
Ph: (412) 394-3333
jennifer.betts@ogletree.com
thomas.smock@ogletree.com
michael.glass@ogletree.com

Brian E. Hayes, Esquire
1909 K Street, N.W.
Suite 1000
Washington, DC 20006
Ph: (202) 263-0261
brian.hayes@ogletree.com

COZEN O'CONNOR

Thomas S. Giotto
One Oxford Center
301 Grant Street, 41st Floor
Pittsburgh, Pennsylvania 15219
Ph: (412) 620-6500
tgiotto@cozen.com

Brian J. Kearney, Esquire
1200 19th Street, NW, 3rd Floor,
Washington, DC 20036
Ph: (202) 912-4800
bjkearney@cozen.com

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

UPMC and its subsidiary UPMC)	
PRESBYTERIAN SHADYSIDE,)	
Single Employer, d/b/a UPMC)	Docket No. 18-1334
PRESBYTERIAN HOSPITAL and)	
d/b/a UPMC SHADYSIDE)	Consolidated with Docket
HOSPITAL,)	Nos. 18-1237, 18-1332,
)	18-1333
Petitioners,)	
)	
v.)	
)	
NATIONAL LABOR RELATIONS)	
BOARD,)	
)	
Respondent.)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of January, 2019, the foregoing
**PROVISIONAL CERTIFICATE AS TO PARTIES, RULINGS, AND
RELATED CASES** was served on all counsel of record through the CM/ECF
system and by First Class Mail on the following:

Linda Dreeben
Appellate and Supreme Court Litigation
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570-0001

Nancy Wilson, Regional Director
Suzanne C. Bernett, Regional Attorney
National Labor Relations Board
Region 6
William S. Moorhead Federal Building
1000 Liberty Avenue, Room 904
Pittsburgh, PA 15222-4111

Claudia Davidson
Offices of Claudia Davidson
429 Fourth Avenue, 5th Floor
500 Law & Finance Building
Pittsburgh, PA 15219-1500

Leigh Reardon
Associate Executive Secretary
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570-0001

Nicole Berner
Service Employees Int'l Union
1800 Massachusetts Ave., NW
Washington, DC 20036

Betty Grdina
Mooney, Green, Saindon, Murphy &
Welch, P.C.
1920 L Street, NW, Suite 400
Washington, DC 20036-5041

Ryan Griffin
James & Hoffman, P.C.
1130 Connecticut Avenue, NW
Suite 950
Washington, DC 20036-3975

/s/Jennifer G. Betts

Jennifer G. Betts